

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL, **FILED**

STATE OF WYOMING

SEP 17 2009

Jim Ruby, Executive Secretary  
Environmental Quality Council

IN THE MATTER OF THE APPEAL OF )  
SUBLETTE COUNTY FROM THE )  
FINAL DETERMINATION FOR )  
REQUIREMENT OF AN ENGINEERED )  
CONTAINMENT SYSTEM )  
MARBLETON #2 LANDFILL )

DOCKET NO. 09-5601

SCHEDULING ORDER

ON THE 16TH DAY OF SEPTEMBER, 2009 at 2:05 p.m. the above entitled matters came on for scheduling conference before the Presiding Officer for the Council, Tom Coverdale.

Present was Anthony Reyes, for the Petitioner; Mike Barrash , Asst. Attorney General on behalf of the Department of Environmental Quality . Also present for the conference was James Ruby, Exec. Secretary for the Council, and Joe Girardin the Council's paralegal.

Discussion was held by the parties and the Presiding Officer and the following was agreed to by the Parties and is hereby made the Order of the Council:

1. All discovery shall be completed by January 25, 2010.
2. The Petitioner shall file their Expert Designations and Reports by November 2, 2009.  
The report shall state the credentials and opinion(s) of each expert and contain a detailed summary of the facts and analysis that supports each opinion.
3. The Respondent shall file their Expert Designations and Reports by December 1st, 2009. The report shall state the credentials and opinion(s) of each expert and contain a detailed summary of the facts and analysis that supports each opinion.

4. Depositions including Depositions of Experts and Written Discovery of Experts shall be concluded by January 25<sup>th</sup>, 2010.
5. Dispositive Motions shall be filed no later than February 9, 2010.
6. Replies to Dispositive Motions shall be filed no later than February 23, 2010
7. A prehearing conference shall be held, if necessary, on February 26th, 2010.
8. Hearing on Dispositive Motions and Final Hearing on the matter shall be held on March 11<sup>th</sup> and 12<sup>th</sup>, 2010. The hearing shall be held in Cheyenne Wyoming.
9. All filings shall be made no later than 12:00 p.m. on the date set forth in this Order.

SO ORDERED this 17<sup>th</sup> Day of September, 2009.

  
Tom Coverdale, Presiding Officer  
Environmental Quality Council

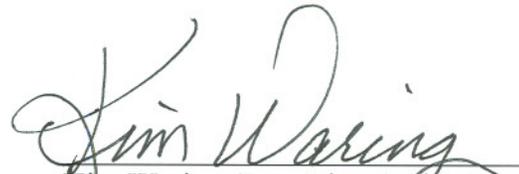
## CERTIFICATE OF SERVICE

I, Kim Waring, certify that at Cheyenne, Wyoming, on the 17<sup>th</sup> day of September, 2009, I served a copy of the foregoing SCHEDULING ORDER by electronic mail to the following:

John Corra  
Director, DEQ  
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